THE HON'BLE Mr. JUSTICE GODA RAGHURAM

MONDAY, THE 13th DAY OF FEBRUARY, 2006

W.P.No. 2441 of 2006

Between:-

Ramireddy Apparao

--Petitioner

And

The Joint Collector, East Godavari district at Kakinada and two others.

--Respondents

THE HON'BLE MR. JUSTICE GODA RAGHURAM

W.P.No. 2441 of 2006

Oral order:-

The petitioner was granted temporary authorization for fair price shop No. 26, F.K. Palem village, Pithapuram mandal, East Godavari district, upto December, 2005. According to him, the authorities of Civil Supplies Department released stocks for the month of January, 2006 also even though there was no order extending his temporary status beyond December, 2005. He states that there was an inspection of his premises behind his back on 02-02-2006 and on allegations of irregularities discerned during such inspection the respondents have stopped the supplies to him without passing any order of withdrawal or suspension of his authorization. In the writ petition, he seeks release of the commodities.

Demonstrably, the petitioner has no authorization either regular or temporary beyond December, 2005. If the authorities of the Civil Supplies Department had released stocks of commodities in favour of the petitioner after determination of his authorization, such conduct of the officials of the civil supplies department constitutes an unauthorized administrative act having no legitimate sanction. No Mandamus can be issued to continue the illegal practice.

Learned counsel for the petitioner states that it is a regular practice in the Civil Supplies Department to supply commodities to a temporary fair price shop dealer even beyond the specified term of temporary authorization. If such a practice exists, as alleged by the petitioner, it is an unwholesome and wholly illegal practice contrary to all established public administrative norms. An illegal practice of administrative authorities does not constitute a legal regime. We are not a Republic of Revenue Divisional Officers.

The writ petition is dismissed. No costs.

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GODA RAGHURAM, J

Date: 13-02-2006

Pvks/*